

# PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

21 OCT 2004

To:

DAVIES COLLISON CAVE  
PO Box 2219  
Milton Business Centre Qld 4064

## PCT

### NOTIFICATION OF TRANSMITTAL OF THE INTERNATIONAL SEARCH REPORT OR THE DECLARATION

(PCT Rule 44.1)

BRISBANE

Applicant's or agent's file reference <b>12176212/VPA</b>	Date of mailing (day/month/year) <b>19 JUN 2003</b>
International application No. <b>PCT/AU03/00454</b>	International filing date <b>16 April 2003</b>
Applicant <b>QUEENSLAND UNIVERSITY OF TECHNOLOGY et al</b>	

1. ☒ The applicant is hereby notified that the international search report has been established and is transmitted herewith.

**Filing of amendments and statement under Article 19:**  
 The applicant is entitled, if he so wishes, to amend the claims of the international application (see Rule 46):

**When?** The time limit for filing such amendments is normally two months from the date of transmittal of the international search report.

**Where?** Directly to the International Bureau of WIPO  
 34, chemin des Colombettes  
 1211 Geneva 20, Switzerland  
 Facsimile No.: (41-22) 740.14.35

For more detailed instructions, see the notes on the accompanying sheet.

2. ☐ The applicant is hereby notified that no international search report will be established and that the declaration under Article 17(2)(a) to that effect is transmitted herewith.

3. ☐ With regard to the protest against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:

☐ the protest together with the decision thereon has been transmitted to the International Bureau together with the applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices.

☐ no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.

4. **Reminders**

Shortly after **18 months** from the priority date, the international application will be published by the International Bureau.  
 If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau as provided in Rules 90bis.1 and 90bis.3, respectively, before the completion of the technical preparations for international publication.

Within **19 months** from the priority date, but only in respect of some designated Offices, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase **until 30 months** from the priority date (in some Offices even later);  
 otherwise, the applicant must, **within 20 months** from the priority date, perform the prescribed acts for entry into the national phase before those designated Offices.

In respect of other designated Offices, the time limit of **30 months** (or later) will apply even if no demand is filed within 19 months.  
 See the Annex to Form PCT/IB/301 and, for details about the applicable time limits, Office by Office, see the *PCT Applicant's Guide*, Volume II, National Chapters and the WIPO Internet site.

Name and mailing address of the ISA/AU  AUSTRALIAN PATENT OFFICE PO BOX 200, WODEN ACT 2606, AUSTRALIA E-mail address: pct@ipaustalia.gov.au Facsimile No. (02) 6285 3929	Authorized officer  <b>ALISTAIR BESTOW</b> Telephone No. (02) 6283 2450
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# PATENT COOPERATION TREATY

## PCT

### INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference <b>12176212/VPA</b>	<b>FOR FURTHER ACTION</b> see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.	
International application No. <b>PCT/AU03/00454</b>	International filing date ( <i>day/month/year</i> ) <b>16 April 2003</b>	(Earliest) Priority Date ( <i>day/month/year</i> ) <b>22 April 2002</b>
Applicant <b>QUEENSLAND UNIVERSITY OF TECHNOLOGY et al</b>		

This international search report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This international search report consists of a total of **4** sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

#### Basis of the report

a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

b. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international search was carried out on the basis of the sequence listing:

☐ contained in the international application in written form.

☐ filed together with the international application in computer readable form.

☐ furnished subsequently to this Authority in written form.

☐ furnished subsequently to this Authority in computer readable form.

☐ the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

☐ the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

2. ☐ Certain claims were found unsearchable (See Box I).

3. ☐ Unity of invention is lacking (See Box II).

4. With regard to the title, ☐ the text is approved as submitted by the applicant.

☒ the text has been established by this Authority to read as follows:

#### Method for Detecting the Presence or Risk of Prostate Cancer by Detecting Products of PSA or KLK2.

5. With regard to the abstract, ☒ the text is approved as submitted by the applicant

☐ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the drawings to be published with the abstract is Figure No.

☐ as suggested by the applicant.

☒ None of the figures

☐ because the applicant failed to suggest a figure

☐ because this figure better characterizes the invention

**A. CLASSIFICATION OF SUBJECT MATTER**Int. Cl. <sup>7</sup>: G01N 33/574, C12N 15/12, C12Q 1/25

According to International Patent Classification (IPC) or to both national classification and IPC

**B. FIELDS SEARCHED**

Minimum documentation searched (classification system followed by classification symbols)

AS BELOW

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

AS BELOW

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)

WPIDS, Chemical Abstracts plus, BIOSIS, Medline : keywords ; prostat?, cancer, metastat?, PSA, KLK2, kallikrein

**C. DOCUMENTS CONSIDERED TO BE RELEVANT**

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	National Cancer Institute - Cancer Facts <a href="http://cis.nci.nih.gov/fact/5_29.htm">http://cis.nci.nih.gov/fact/5_29.htm</a> 18 September 2000 (see particularly page 1)	1, 28, 34 - 41, 46 - 50
L	<a href="http://www.archive.org/">http://www.archive.org/</a> used to establish the publication date of the document.	
X	DAHER, R., et. al. Prostate-Specific Antigen and New Related Markers for Prostate Cancer <i>Clinical Chemistry and Laboratory Medicine</i> 1998 36(9):671-81 (see particularly abstract and p. 676 col. 1, line 10 - col. 2 line 11)	1, 28, 34 - 41, 46 - 50
X	WO, A, 00/49158, COMPUGEN LTD. (24 August 2000) (see Claims 1 - 20, p. 33 line 1 - p. 35 - line 21)	1, 28, 34 - 41, 46 - 57

☒ Further documents are listed in the continuation of Box C☒ See patent family annex

* Special categories of cited documents:	
"A" document defining the general state of the art which is not considered to be of particular relevance	"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
"E" earlier application or patent but published on or after the international filing date	"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)	"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art
"O" document referring to an oral disclosure, use, exhibition or other means	"&" document member of the same patent family
"P" document published prior to the international filing date but later than the priority date claimed	

Date of the actual completion of the international search  
26 May 2003

Date of mailing of the international search report

19 JUN 2003

Name and mailing address of the ISA/AU

AUSTRALIAN PATENT OFFICE  
PO BOX 200, WODEN ACT 2606, AUSTRALIA  
E-mail address: pct@ipaustalia.gov.au  
Facsimile No. (02) 6285 3929

Authorized officer

ALISTAIR BESTOW

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C (Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT		
Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO, A, 96/34964 (HYBRITECH INCORPORATED ET. AL.) 7 November 1996 (see claims )	1, 28, 34 - 41, 46 - 50
X	NAM, R. K., et.al. Serum Human Glandular Kallikrein-2 Protease Levels Predict the Presence of Prostate Cancer Among Men With Elevated Prostate-Specific Antigen. <i>Journal of Clinical Oncology</i> March 2000 18(5):1036-42 (see particularly p. 1039, col. 2, line 28 - p. 1041 col. 2 line 14)	1, 28, 34 - 41, 46 - 50
X	YLIKOSKI, A., et. al. Simultaneous Quantification of Human Kallikrein 2 and Prostate-Specific Antigen mRNAs in Peripheral Blood from Prostate Cancer Patients. <i>Journal of Molecular Diagnostics</i> , 3(3) August 2001:111-22 (see particularly abstract and p. 119 col. 2 line 19 - p. 120 col. 1 line 26)	1, 14, 15, 28, 34 - 50
X	Compugen - News and Events <a href="http://www.cgen.com/news/press/press130202a.htm">http://www.cgen.com/news/press/press130202a.htm</a> 28 March 2002 (see page 1)	1, 28, 34 - 41, 50.
L	<a href="http://www.archive.org/">http://www.archive.org/</a> used to establish the publication date of the document	
X	WO, A, 99/64594 CHIRON CORPORATION (16 December 1999) See Example 2.	1, 28, 34 - 41, 50.

## INTERNATIONAL SEARCH REPORT

Information on patent family members

International application No.

PCT/AU03/00454

This Annex lists the known "A" publication level patent family members relating to the patent documents cited in the above-mentioned international search report. The Australian Patent Office is in no way liable for these particulars which are merely given for the purpose of information.

Patent Document Cited in Search Report		Patent Family Member	
WO	200049158	AU	200026862
WO	9634964	EP	1159429
		US	2002099189
		AU	26390/95
		CA	2189774
		EP	826056
		WO	9530758
		US	6013471
		US	6093796
		ZA	72525/94
		CA	2165672
		EP	710253
		US	5516639
		WO	9503334
		ZA	9405364
WO	9964594	US	6000246
END OF ANNEX			